

**Arizona Supreme Court**  
**Civil Petition for Review - Appeal**

**CV-16-0107-PR**

**PAWN 1ST LLC v CITY OF PHOENIX/WILLIAM JACHIMEK**

**Appellate Case Information**

Case Filed: 12-May-2016  
Case Closed:

**Dept/Composition**

**En Banc**

Hon. Scott Bales  
Hon. John Pelander  
Hon. Robert M. Brutinel  
Hon. Ann A. Scott Timmer  
Hon. Clint Bolick  
Hon. Andrew W. Gould  
Hon. John R. Lopez

**Side 1. PAWN 1ST, LLC, an Arizona limited liability company, Plaintiff/Appellant**

(Litigant Group) PAWN 1ST, LLC, an Arizona limited liability company

- Pawn 1st LLC

**Attorneys for: Plaintiff/Appellant**

Thomas M Baker, Esq. (AZ Bar No. 13475)

**Side 2. CITY OF PHOENIX, a political subdivision of the State of Arizona; BOARD OF ADJUSTMENT OF THE CITY OF PHOENIX; and BOB FORD; EMILIO GAYNOR; PATRICK PAUL; ALEX TAUBER; YVONNE HUNTER; BETTINA NAVA; and EMILY RYAN, as members of and constituting the Board of Adjustment of the City of Phoenix, Defendant/Appellee**

(Litigant Group) CITY OF PHOENIX, a political subdivision of the State of Arizona; BOARD OF ADJUSTMENT OF THE CITY OF PHOENIX; and BOB FORD; EMILIO GAYNOR; PATRICK PAUL; ALEX TAUBER; YVONNE HUNTER; BETTINA NAVA; and EMILY RYAN, as members of and constituting the Board of Adjustment of the City of Phoenix

- City of Phoenix
- City of Phoenix Board of Adjustment
- Bob Ford
- Emilio Gaynor
- Patrick Paul
- Alex Tauber
- Yvonne Hunter
- Bettina Nava
- Emily Ryan

**Attorneys for: Defendants/Appellees**

Brad Holm, Esq. (AZ Bar No. 11237)

Paul M Li, Esq. (AZ Bar No. 21893)

**Side 3. WILLIAM JACHIMEK dba CENTRAL PAWN, Real Party in Interest**

(Litigant Group) WILLIAM JACHIMEK dba CENTRAL PAWN

- William George Jachimek, Appellee
- Central Pawn Inc

**Attorneys for: Real Party in Interest/Appellee**

Claudio E Iannitelli, Esq. (AZ Bar No. 12759)

John C Marcolini, Esq. (AZ Bar No. 19530)

Lawrence Palles, Esq. (AZ Bar No. 20263)

**Side 4. AMERICAN PLANNING ASSOCIATION, ARIZONA CHAPTER, Amicus Curiae**

(Litigant Group) AMERICAN PLANNING ASSOCIATION, ARIZONA CHAPTER

- American Planning Association, Arizona Chapter

**Attorneys for: Amicus Curiae**

Nicholas J Wood, Esq. (AZ Bar No. 10750)

Adam E Lang, Esq. (AZ Bar No. 22545)

Brianna L Long, Esq. (AZ Bar No. 32309)

**CASE STATUS**

Dec 13, 2016....At Issue

Dec 13, 2016....Oral Argument Granted

May 12, 2016....Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
1 CA 1 CA-CV 14-0500					
⚡ MAR LC2010-000701-001	Special Action Review of Administrative Decision		Lisa Daniel Flores, Authoring Judge of Order Comments: (none)		

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**17 PROCEEDING ENTRIES**

1. 12-May-2016 FILED: Petition for Review; Certificate of Service; Certificate of Compliance; Opinion (Appellee Jachimek)
2. 13-May-2016 FILED: Record from CofA: Electronic Record
3. 17-May-2016 RECEIPT No.: ASC2016-00436 ; \$280.00, Authorization: 37025114588, Applied to: WILLIAM JACHIMEK dba CENTRAL PAWN - Class A Filing Fee (\$280.00) Paid for: WILLIAM JACHIMEK dba CENTRAL PAWN - By Intresys Inc (Memo: Form Set No. 1800355)
4. 24-May-2016 FILED: Appellant's Motion for a 30 Day Extension of Time to File its Cross-Petition for Review and its Response to Petition for Review; Certificate of Service (Appellant Pawn 1st LLC)
5. 31-May-2016 An "Appellant's Motion for a 30 Day Extension of Time to File its Cross-Petition for Review and its Response to Petition for Review" (Appellant Pawn 1st LLC) having been filed on May 24, 2016,  
  
IT IS ORDERED granting an extension of time to file the Cross-Petition for Review on or before July 1, 2016.  
  
IT IS FURTHER ORDERED granting an extension of time to file a Response to the Petition for Review on or before July 18, 2016. No further extensions of time shall be granted absent extraordinary circumstances. (Janet Johnson, Clerk)
6. 1-Jul-2016 FILED: Appellant's Cross-Petition for Review; Certificate of Service; Certificate of Compliance (Appellant Pawn 1st LLC)
7. 7-Jul-2016 RECEIPT No.: ASC2016-00615 ; \$280.00, Check Number: 3553, Applied to: PAWN 1ST, LLC, an Arizona limited liability compan - Class A Filing Fee (\$280.00) Paid for: PAWN 1ST, LLC, an Arizona limited liability company - By Thomas M Baker PLC
8. 15-Jul-2016 FILED: Response Brief of Defendants/Appellees City of Phoenix, Board of Adjustment, Bob Ford, Emilio Gaynor, Patrick Paul, Alex Tauber, Yvonne Hunter, Bettina Nava and Emily Ryan; Certificate of Service Re: Response Brief of Defendants/Appellees City of Phoenix, Board of Adjustment; Certificate of Compliance Re: Response Brief of Defendants/Appellees City of Phoenix, Board of Adjustment (Appellee City of Phoenix et al)
9. 18-Jul-2016 FILED: Appellant's Response; Certificate of Service; Certificate of Compliance (Appellant Pawn 1st LLC)
10. 8-Aug-2016 FILED: Brief of Amicus Curiae American Planning Association, Arizona Chapter In Support Of Review; Certificate of Service; Certificate of Compliance (Amicus Curiae American Planning Association, Arizona Chapter)
11. 8-Aug-2016 FILED: Motion for Leave to File Brief of Amicus Curiae In Support of Review; Brief of Amicus Curiae American Planning Association, Arizona Chapter In Support of Review (Amicus Curiae American Planning Association, Arizona Chapter)
12. 9-Aug-2016 A "Motion for Leave to File Brief of Amicus Curiae in Support of Review" (Amicus Curiae American Planning Association, Arizona Chapter) and the Brief of Amicus Curiae were filed on August 8, 2016.  
  
IT IS ORDERED granting the "Motion for Leave to File Brief of Amicus Curiae in Support of Review." The brief shall be filed as of August 8, 2016. (Janet Johnson, Clerk)
13. 13-Dec-2016 ORDERED: Petition for Review = GRANTED.  
  
FURTHER ORDERED: The case shall be set for oral argument.  
  
FURTHER ORDERED: The parties may file simultaneous supplemental briefs, not to exceed 20 pages in length, on or before January 13, 2017.  
  
FURTHER ORDERED: Appellant's Cross-Petition for Review = DENIED.  
  
FURTHER ORDERED: Request for Attorneys' Fees (Appellant Pawn 1st LLC) = CONTINUED.
14. 23-Dec-2016 FILED: Remaining Record from CofA:  
  
Instrument (1 empty backer)
15. 13-Jan-2017 FILED: Supplemental Brief of Defendants Appellees City of Phoenix Board of Adjustment; Certificate of Service Re Supplemental Brief of the City of Phoenix; Certificate of Compliance Re Supplemental Brief of the City of Phoenix (Appellee)
16. 23-Jan-2017 NOTICE OF ORAL ARGUMENT: Set for Tuesday, March 7, 2017, at 9:30 A.M. [twenty minutes (20) per side]
17. 26-Jan-2017 FILED: Notice of Filing Acknowledgment of Oral Argument (John C. Marcolini will argue) (Appellee Jachimek)